

1764 JFW

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

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Application Number

09/636,814

Filing Date

August 10, 2000

First Named Inventor

David J. Edlund

Art Unit

1764

Examiner Name

Basia Anna Ridley

Attorney Docket Number

NPW 307

ENCLOSURES (Check all that apply)

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Fee Transmittal Form

☐

Fee Attached

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Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

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Extension of Time Request

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Express Abandonment Request

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Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

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Reply to Missing Parts/
Incomplete Application

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Reply to Missing Parts
under 37 CFR 1.52 or 1.53

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Drawing(s)

☐

Licensing-related Papers

☐

Petition

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Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation
Change of Correspondence Address

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Terminal Disclaimer

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Request for Refund

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After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

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Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

David S. D'Ascenzo

Date

November 18, 2004

Reg. No.

39,952

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Date

November 18, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dated: November 18, 2004

Re Application of:

DAVID J. EDLUND and THOMAS G. HERRON

Serial No. : 09/636,814 Group Art Unit: 1764
Filed : August 10, 2000 Examiner: Basia Anna Ridley
For : VOLATILE FEEDSTOCK DELIVERY SYSTEM AND FUEL
PROCESSING SYSTEM INCORPORATING THE SAME

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1540

Alexandria, Virginia 22313-1450

Sir:

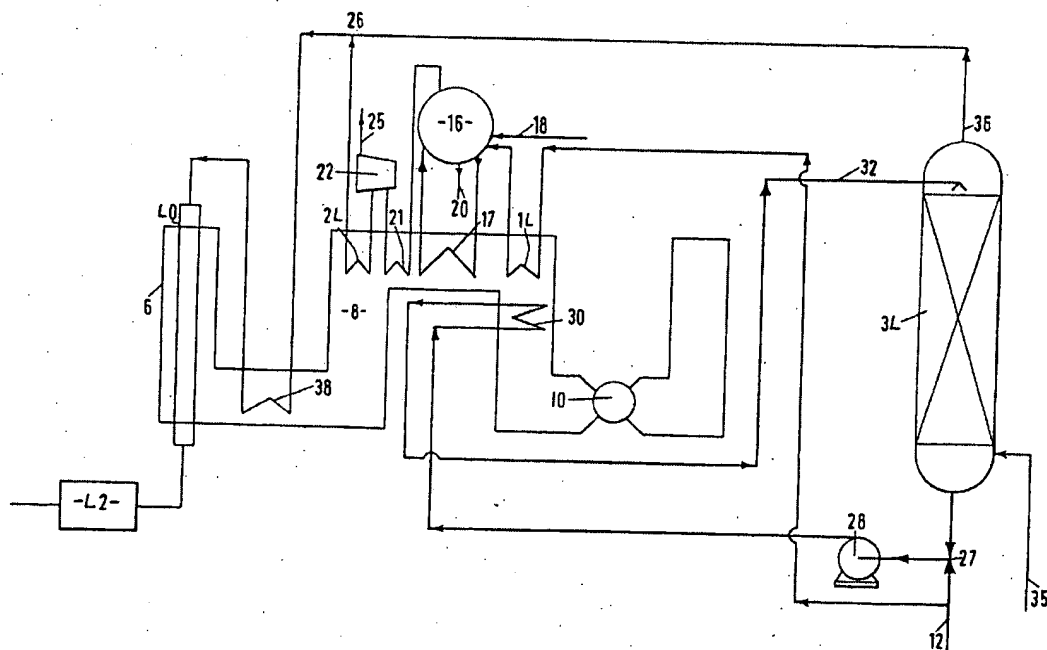
REQUEST FOR RECONSIDERATION

This request for reconsideration is being filed responsive to the October 5, 2004 Office action for the above-identified patent application. Claims 1-4, 6, and 9-31 are presently pending, with claims 5 and 7-8 withdrawn from consideration in view of Applicants' July 12, 2004 response to a first Office action restriction requirement, and the remaining claims rejected as being obvious over U.S. Patent No. 4,238,403 to Pinto, either alone or in combination with U.S. Patent No. 5,401,589 to Palmer or U.S. Patent No. 4,027,495 to Edwards. The pending claims also stand rejected under the doctrine of obviousness-type double patenting over Applicants' U.S. Patent No. 6,375,906. Applicants have studied the cited references in view of the pending claims and the reasons expressed in the Office action.

Applicants respectfully request reconsideration of the rejections for at least the reasons discussed below.

As an initial matter, Applicants thank the Examiner for her time and comments in a telephone interview with Applicants' undersigned attorney on November 17, 2004. In the interview, the cited reference to Pinto was discussed in view of the independent claims, and it was agreed that Applicants would submit this response explaining why the independent claims recite subject matter that is not disclosed or suggested in Pinto.

U.S. Patent No. 4,238,403 to Pinto is directed to a system for producing methanol by steam reforming a feed stream containing water and a hydrocarbon, such as methane or natural gas. As shown below in the Figure of Pinto, the system receives a gaseous hydrocarbon stream 35 and introduces this stream to the lower region of a humidifier 34. The humidifier also receives a stream of steam 32 at its upper region. The steam heats the humidifier and humidifies the gaseous hydrocarbon, with the product streams from the humidifier being a humidified hydrocarbon stream 36, and a recycle stream 27 of liquid water. Stream 36 is used as a feed stream for the steam reforming reaction, while stream 27 is recycled, reheated, and delivered again to the upper portion of the humidifier. Applicants note that Pinto discloses that its system may be used to produce hydrogen gas instead of methanol, and for the purposes of this response only, are assuming that the system could be used in this regard without structural changes from those shown in the Figure.



Applicants understand that Examiners are entitled to broadly interpret the cited references, and Applicants certainly understand the public policy served by this procedure. In that regard, Applicants recognize that the steam stream 32 does provide some heat to the humidifier, and Applicants understand the Examiner's interpretation that the humidifier can be considered a reservoir that receives a stream of hydrocarbon to the extent that the hydrocarbon is present in the humidifier during the transient time period in which the hydrocarbon rises from its inlet to the top of the humidifier. However, both independent claims of the pending application recite, amongst other subject matter, that the fuel processing system comprises a volatile feed stock delivery system that includes a plurality of heated reservoirs that are adapted to *receive and store under pressure* a volume of a volatile carbon-containing feedstock.

Applicants respectfully submit that even a very broad interpretation of the humidifier disclosed in Pinto does not disclose or suggest a reservoir that receives and stores under pressure a volume of volatile carbon-containing feedstock, much less a plurality of such reservoirs from which a delivery system selectively draws a stream containing this feedstock. Instead, the humidifier of Pinto receives the hydrocarbon, permits it to mix with steam as the hydrocarbon flows through the humidifier, and then exhausts a gaseous product stream containing water and the hydrocarbon. The flow rate of hydrocarbon out of the humidifier appears to be entirely dependent upon the flow rate of hydrocarbon into the humidifier, with Pinto neither disclosing nor suggesting any structure for storing the hydrocarbon, much less storing the hydrocarbon under pressure in a heated reservoir. Instead, Pinto discloses an open system in which the hydrocarbon is bubbled through water as the water percolates over the trays in the humidifier.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejections based on Pinto. For the purpose of completeness, Applicants also respectfully traverse the rejections of the dependent claims, and the proposed combinations of Pinto with other cited references. However, in view of the above-discussed differences between the subject matter recited in the pending independent claims and Pinto, Applicants submit that these further distinctions become moot. Should the Examiner disagree, Applicants propose a follow-up interview to discuss additional subject matter that is disclosed in the independent claims and/or the dependent claims and which is not disclosed or suggested in Pinto.

Turning now to the obviousness-type double patenting rejection, Applicants also request reconsideration and withdrawal of the double patenting rejection for reasons similar to those discussed above. Briefly, Applicants recognize that the commonly owned cited reference also discloses a delivery system for carbon-containing feedstocks, as well as steam reforming fuel processing systems containing the same. However, the delivery system of the cited reference contains a water reservoir through which a gaseous hydrocarbon is bubbled to produce a gaseous outlet stream containing water and the hydrocarbon. Even with a broad construction of the claimed subject matter in view of the disclosure of the cited reference, Applicants still believe that the cited reference, like Pinto, is directed to a system in which the hydrocarbon is bubbled through the reservoir or other structure, with the hydrocarbon being mixed with water as it flows through the reservoir and from which the mixed gas stream is exhausted responsive largely to the flow rate of hydrocarbon into the reservoir. In other words, neither the systems of Pinto nor the cited double patenting reference are directed to a heated reservoir that receives and stores under pressure a volume of volatile carbon-containing feedstock, much less to a feedstock delivery system with a plurality of such heated reservoirs and a delivery system to selectively draw the feedstock from the reservoirs.

In view of the above, Applicants request that the rejections of the pending claims be reconsidered and withdrawn. Applicants submit that this response addresses all of the issues raised in the Office action. If the Examiner identifies any remaining issues, has any questions, or believes a further telephone interview would

be productive to advance prosecution of the present application, the Examiner is invited to contact Applicants' undersigned attorney at the number listed below.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

A handwritten signature in black ink, appearing to read 'David S. D'Ascenzo', is written over a horizontal line.

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